INDEX

VOLUME 39

AUTHOR INDEX

ARTICLES

Austin, W. Chadwick: *Who's Afraid of the Big Bad Wolf? The International Crimminal Court as a Weapon of Asymmetric Warfare* (see also Kolenc, Antony Barone) 291

Cerone, John: *Human Dignity in the Line of Fire: The Application of International Human Rights Law During Armed Conflict, Occupation, and Peace Operations* 1447

Crimm, Nina J.: *Towards Facilitating a Voice for Politically Marginalized Minorities and Enhancing Presidential Public Accountability and Transparency in Foreign Health Policymaking* 1053

Cuniberti, Gilles: *Is the CISG Benefiting Anybody?* 1511

Dakolias, Maria: *Are We There Yet?: Measuring Success of Constitutional Reform* 1117

Dodge, William S.: *Investor-State Dispute Settlement Between Developed Countries: Reflections on the Australia-United States Free Trade Agreement* 1

Frank, Michael J.: *U.S. Military Courts and the War in Iraq* 645

Gantz, David A.: *An Appellate Mechanism for Review of Arbitral Decisions in Investor-State Disputes: Prospects and Challenges* 39

Hill, Louise L.: Services as Objects of International Trade: Bartering the Legal Profession 347

Kilborn, Jason J.: *The Hidden Life of Consumer Bankruptcy Reform: Danger Signs for the New U.S. Law From Unexpected Parallels in the Netherlands* 77

Kolenc, Antony Barone: *Who's Afraid of the Big Bad Wolf? The International Criminal Court as a Weapon of Asymmetric Warfare* (see also Austin, W. Chadwick) 291

Musa, Armando A.: *Courts of Limited Jurisdiction in a Post-Transition Cuba* (see also Travieso-Diaz, Matias F.) 125

Pasqualucci, Jo M.: *Criminal Defamation and the Evolution of the Doctrine of Freedom of Expression in International Law: Comparative Jurisprudence of the Inter-American Court of Human Rights* 379

Pindell, Ngai: *Finding a Right to the City: Exploring Property and Community in Brazil and in the United States* 435

Sagers, Chris: *The Demise of Regulation in Ocean Shipping: A Study in the Evolution of Competition Policy and Predictive Power of Microeconomics* 779

Sapir, Gidon: *How Should a Court Deal with a Primary Question That the Legislature Seeks to Avoid? The Israeli Controversy over Who is a Jew as an Illustration* 1233

Schoiswohl, Michael: *Linking the International Legal Framework to Building the Formal Foundations of a "State at Risk": Constitution-Making and International Law in Post-Conflict Afghanistan* 816

Spahn, Elizabeth: *As Soft as Tofu: Consumer Product Defamation on the Chinese Internet* 865

Stark, Barbara: *When Globalization Hits Home: International Family Law Comes of Age* 1551

Travieso-Diaz, Matias F.: *Courts of Limited Jurisdiction in a Post-Transition Cuba* (see also Musa, Amando A.) 125

NOTES

Anthony, Christine Holland: *The Responsible Role for International Charitable Grantmaking in the Wake of the September 11, 2001 Terrorist Attacks* 911

Brooks, Brennan Tyler: *Doctrines Without Borders: Territorial Jurisdiction and the Force of International Law in the Wake of* Rasul v. Bush..... 161

Fus, Theresa: *Criminalizing Marital Rape: A Comparison of Judicial and Legislative Approaches* 481

Gonzalez, Miguel A.: *Trade and Morality: Preserving "Public Morals" Sacrificing the Global Economy* 939

Goodwin, Joshua Michael: *Universal Jurisdiction and the Pirate: Time for an Old Couple to Part* 973

Holland, Brandi L.: *Moral Rights Protection in the United States and the Effect of the Family Entertainment and Copyright Act of 2005 on U.S. International Obligations*..... 217

Logan, Ryan P.: *The Detainee Treatment Act of 2005: Embodying U.S. Values to Eliminate Detainee Abuse by Civilian Contractors and Bounty Hunters in Afghanistan and Iraq*..... 1605

McMahan, Matthew: *The international Effects of the Adoption of a Consumption Tax in the United States*..... 519

Preston, M. Bradford: *Sheldon Kennedy and a Canadian Tragedy Revisited: A Comparative Look at U.S. and Canadian Jurisprudence on Youth Sports Organizations' Civil Liability for Child Sexual Exploitation*..... 1333

Rechner, Jonathan D.: *From the OAU to the AU: A Normative Shift with Implications for Peacekeeping and Conflict Management, or Just a Name Change?*..... 543

Reed, Bradley C.: *Clearing Away the Mist: Suggestions for Developing a Principled Veil Piercing Doctrine in China*..... 1643

Ricker, Rachel: *Two (or Five, or Ten) Heads are Better than One: The Need for an Integrated Effort to International Election Monitoring*..... 1373

Roche, Michael: *Competing Claim: The Struggle for Title in Nicaragua*..... 577

Shiu, Stephen K.: *Motion Picture Piracy: Controlling the Seemingly Endless Supply of Counterfeit Optical Discs in Taiwan* 607

Sones, Ben: *A Tale of Two Countries: Parallel Visions for Informed Consent in the United States and the United Kingdom* 253

Statz, Sarah: *Finding the Winning Combination: How Blending Organ Procurement Systems Used Internationally can Reduce the Organ Shortage* 1677

Stough, Patrick: *Historic Preservation in Southeast Asia: The Role of Public-Private Partnerships* 1013

Sud, Gaurav: *From Fretting Takeovers to Vetting CFIUS: Finding a Balance in U.S. Policy Regarding Foreign Acquisitions of Domestic Assets* 1303

TRIBUTE

Bingham, W. Harold: *Professor Harold G. Maier at Pepperdine* 1403

Brown, Jr., Lonnie T.: *A Teacher's Teacher* 1405

Covington, Robert: *Four Decades Later* 1409

Kurtz, Paul M.: *Harold G. Maier: World Class Fellow Indeed* 1411

Lowenfeld, Andreas F.: *Harold Maier, Comity and the Foreign Relations Restatement* 1415

Silberman, Linda: *Transnational Litigation: Is There A "Field"? A Tribute to Hal Maier* 1427

Stewart, David P.: *In Honor of Professor Harold G. Maier* 1439

Welch, D. Don: *He Knew Why He Was Here* 1443

TITLE INDEX

ARTICLES

A Teacher's Teacher
Lonnie T. Brown, Jr. 1405

An Appellate Mechanism for Review of Arbitral Decisions in Investor-State Disputes: Prospects and Challenges
David A. Gantz 39

Are We There Yet?: Measuring Success of Constitutional Reform
Maria Dakolias 1117

As Soft as Tofu: Consumer Product Defamation on the Chinese Internet
Elizabeth Spahn 865

Courts of Limited Jurisdiction in a Post-Transition Cuba
Armando A. Musa
Matias F. Travieso-Diaz 125

Criminal Defamation and the Evolution of the Doctrine of Freedom of Expression in International Law: Comparative Jurisprudence of the Inter-American Court of Human Rights
Jo M. Pasqualucci 379

Four Decades Later
Robert Covington 1409

Finding a Right to the City: Exploring Property and Community in Brazil and in the United States
Ngai Pindell 435

Harold G. Maier, Comity and the Foreign Relatoins Restatement
Andreas F. Lowenfeld 1415

Harold G. Maier: World Class Fellow Indeed
Paul M. Kurtz 1411

He Knew Why He Was Here
D. Don Welch 1443

How Should a Court Deal with a Primary Question That the Legislature Seeks to Avoid? The Israeli Controversy over Who is a Jew as an Illustration
Gidon Sapir 1233

Human Dignity in the Line of Fire: The Application of International Human Rights Law During Armed Conflict, Occupation, and Peace Operations
John Cerone 1447

In Honor of Professor Harold G. Maier
David P. Stewart 1439

Investor-State Dispute Settlement Between Developed Countries: Reflections on the Australia-United States Free Trade Agreement
William S. Dodge 1

Is the CISG Benefiting Anybody?
Gilles Cuniberti 1511

Linking the International Legal Framework to Building the Formal Foundations of a "State at Risk": Consitution-Making and the International Law in Post-Conflict Afghanistan
Michael Schoiswohl 819

Professor Harold G. Maier at Pepperdine
W. Harold Bingham 1403

Services as Objects of International Trade: Bartering the Legal Profession
Louise L. Hill 347

The Demise of Regulation in Ocean Shipping: A Study in the Evolution of Competition Policy and Predictive Power of Microeconomics
Chris Sagers 779

The Hidden Life of Consumer Bankruptcy Reform: Danger Signs for the New U.S. Law From Unexpected Parallels in the Netherlands
Jason J. Kilborn 77

Toward Facilitating a Voice for Politically Marginalized Minorities and Enhancing Presidential Public Accountability and Transparency in Foreign Health Policymaking
Nina J. Crimm 1053

Transnational Litigation: Is There A "Field"? A Tribute to Hal Maier
Linda Silberman 1427

U.S. Military Courts and the War in Iraq
Michael J. Frank 645

When Globalization Hits Home: International Family Law Comes of Age
Barbara Stark 1551

Who's Afraid of the Big Bad Wolf? The International Criminal Court as a Weapon of Asymmetric Warfare
Antony Barone Kolenc 291

NOTES

A Tale of Two Countries: Parallel Visions for Informed Consent in the United States and the United Kingdom
Ben Sones 253

Clearing Away the Mist: Suggestions for Developing a Principled Veil Piercing Doctrine in China
Bradley C. Reed 1643

Competing Claims: The Struggle for Title in Nicaragua
Michael Roche 577

Criminalizing Marital Rape: A Comparison of Judicial and Legislative Approaches
Theresa Fus 481

Doctrines Without Borders: Territorial Jurisdiction and the Force of International Law in the Wake of *Rasul v. Bush*
Brennan Tyler Brooks 161

Finding the Winning Combination: How Blending Organ Procurement Systems Used Internationally can Reduce the Organ Shortage
Sarah Statz 1677

From Fretting Takeovers to Vetting CFIUS: Finding a Balance in U.S. Policy Regarding Foreign Acquisitions of Domestic Assets
Gaurav Sud 1303

From the OAU to the AU: A Normative Shift with Implications for Peacekeeping and Conflict Management, or Just a Name Change?
Jonathan D. Rechner 543

Historic Preservation in Southeast Asia: The Role of Public-Private Partnership
Patrick Stough 1013

Moral Rights Protection in the United States and the Effect of the Family Entertainment and Copyright Act of 2005 on U.S. International Obligations
Brandi L. Holland 217

Motion Picture Piracy: Controlling the Seemingly Endless Supply of Counterfeit Optiocal Discs in Taiwan
Stephen K. Shiu 607

Sheldon Kennedy and a Canadian Tragedy Revisited: A Comparative Look at U.S. and Canadian Jurisprudence on Youth Sports Organizations' Civil Liability for Child Sexual Exploitation
M. Bradford Preston 1333

The Detainee Treatment Act of 2005: Embodying U.S. Values to Eliminate Detainee Abuse by Civilian Contractors and Bounty Hunters in Afghanistan and Iraq
Ryan P. Logan 1605

The International Effects of the Adoption of a Consumption Tax in the United States
Matthew McMahan 519

The Responsible Role for International Charitable Grantmaking in the Wake of the September 11, 2001 Terrorist Attacks
Christine Holland Anthony 911

Trade and Morality: Preserving the "Public Morals Without Sacrificing the Global Economy
Miguel A. Gonzalez 939

Two (or Five, or Ten) Heads are Better than One: The Need for an Integrated Effort to International Election Monitoring
Rachel Ricker 1373

Universal Jurisdiction and the Pirate: Time for an Old Couple to Part
Joshua Michael Goodwin 973

SUBJECT MATTER INDEX

SUBJECT MATTER INDEX

AFGHANISTAN

Linking the International Legal Framework to Building the Formal Foundations of a "State at Risk": Constitution-Making and International Law in Post-Conflict Afghanistan
Michael Schoiswohl 819

The Detainee Treatment Act of 2005: Embodying U.S. Values to Eliminate Detainee Abuse by Civilian Contractors and Bounty Hunters in Afghanistan and Iraq
Ryan P. Logan 1605

AFRICA

From the OAU to the AU: A Normative Shift with Implications for Peacekeeping and Conflict Management, or Just a Name Change?
Jonathan D. Rechner 543

ANTITRUST LAW

The Demise of Regulation in Ocean Shipping: A Study in the Evolution of Competition Policy and Predictive Power of Microeconomics
Chris Sagers 779

ARBITRATION

An Appellate Mechanism for Review of Arbitral Decisions in Investor-State Disputes: Prospects and Challenges
David A. Gantz 39

Investor-State Dispute Settlement Between Developed Countries: Reflections on the Australia-United State Free Trade Agreement
William S. Dodge 1

BANKRUPTCY LAW

The Hidden Life of Consumer Bankruptcy Reform: Danger Signs for the New U.S. Law From Unexpected Parallels in the Netherlands
Jason J. Kilborn 77

BRAZIL
Finding a Right to the City: Exploring Property and Community in Brazil and in the United States
Ngai Pindell 435

CANADA
Sheldon Kennedy and a Canadian Tragedy Revisited: A Comparative Look at U.S. and Canadian Jurisprudence on Youth Sports Organizations' Civil Liability for Child Sexual Exploitation
M. Bradford Preston 1333

CHINA
As Soft as Tofu: Consumer Product Defamation on the Chinese Internet
Elizabeth Spahn 865

Clearing Away the Mist: Suggestions for Developing Principled Veil Piercing Doctrine in China
Bradley C. Reed .....

COPYRIGHT LAW
Moral Rights Protection in the United States and the Effect of the Family Entertainment and Copyright Act of 2005 on U.S. International Obligations
Brandi L. Holland 217

Motion Picture Piracy: Controlling the Seemingly Endless Supply of Counterfeit Optical Discs in Taiwan
Stephen K. Shiu 607

CUBA
Courts of Limited Jurisdiction in a Post-Transition Cuba
Matias F. Travieso-Diaz
Armando A. Musa 125

ELECTION MONITORING
Two (or Five, or Ten) Heads are Better than One: The Need for an Integrated Effort to International Election Making
Rachel Ricker 1373

FAMILY LAW
When Globalization Hits Home: International Family Law Comes of Age
Barbara Stark .....

HABEAS CORPUS
Doctrines Without Borders: Territorial Jurisdiction and the Force of International Law in the Wake of *Rasul v. Bush*
Brennan Tyler Brooks 161

HEALTHCARE/HEALTH POLICY
A Tale of Two Countries: Parallel Visions for Informed Consent in the United States and the United Kingdom
Ben Sones 253

Toward Facilitating a Voice for Politically Marginalized Minorities and Enhancing Presidential Public Accountability and Transparency in Foreign Health Policymaking
Nina J. Crimm 1053

HUMAN RIGHTS
Criminal Defamation and the Evolution of the Doctrine of Freedom of Expression in International Law: Comparative Jurisprudence of the Inter-American Court of Human Rights
Jo M. Pasqualucci 379

Human Dignity in the Line of Fire: The Application of International Human Rights Law During Armed Conflict, Occupation, and Peace Operations
John Cerone 1447

INFORMED CONSENT
A Tale of Two Countries: Parallel Visions for Informed Consent in the United States and the United Kingdom
Ben Sones 253

INTER-AMERICAN COURT OF HUMAN RIGHTS
Criminal Defamation and the Evolution of the Doctrine of Freedom of Expression in International Law: Comparative Jurisprudence of the Inter-American Court of Human Rights
Jo M. Pasqualucci 379

INTERNATIONAL CRIMINAL COURT
Who's Afraid of the Big Bad Wolf? The International Criminal Court as a Weapon of Asymmetric Warfare
W. Chadwick Austin
Antony Barone Kolenc 291

INTERNATIONAL TRADE
An Appellate Mechanism for Review of Arbitral Decisions in Investor-State Disputes: Prospects and Challenges
David A. Gantz 39

Investor-State Dispute Settlement Between Developed Countries: Reflections on the Australia-United State Free Trade Agreement
William S. Dodge 1

Is the CISG Benefiting Anybody?
Gilles Cuniberti 1511

Motion Picture Piracy: Controlling the Seemingly Endless Supply of Counterfeit Optical Discs in Taiwan
Stephen K. Shiu 607

Services as Objects of International Trade: Bartering the Legal Profession
Louise L. Hill 347

Trade and Morality: Preserving "Public Morals" Without Sacrificing the Global Economy
Miguel A. Gonzalez 939

INTERNET
As Soft as Tofu: Consumer Product Defamation on the Chinese Internet
Elizabeth Spahn 865

IRAQ
U.S. Military Courts and the War in Iraq
Michael J. Frank 645

The Detainee Treatment Act of 2005: Embodying U.S. Values to Eliminate Detainee Abuse by Civilian Contractors and Bounty Hunters in Afghanistan and Iraq
Ryan P. Logan 1605

ISRAEL
How Should a Court Deal with a Primary Question That the Legislature Seeks to Avoid? The Isaeli Controversy over Who is a Jew as an Illustration
Gidon Sapir 1233

MARITAL RAPE
Criminalizing Marital Rape: A Comparison of Judicial and Legislative Approaches
Theresa Fus 481

MARITIME LAW
Universal Jurisdiction and the Pirate: Time for an Old Couple to Part
Joshua Michael Goodwin 973

MERGER LAW
From Fretting Takeovers to Vetting CFIUS: Finding a Balance in U.S. Policy Regarding Foreign Acquisitions of Domestic Assets
Gaurav Sud 1303

MORAL RIGHTS
Moral Rights Protection in the United States and the Effect of the Family Entertainment and Copyright Act of 2005 on U.S. International Obligations
Brandi L. Holland 217

NETHERLANDS
The Hidden Life of Consumer Bankruptcy Reform: Danger Signs for the New U.S. Law From Unexpected Parallels in the Netherlands
Jason J. Kilborn 77

NICARAGUA
Competing Claims: The Struggle for Title in Nicaragua
Michael Roche 577

NON-DELEGATION DOCTRINE
How Should a Court Deal with a Primary Question That the Legislature Seeks to Avoid? The Isaeli Controversy over Who is a Jew as an Illustration
Gidon Sapir 1233

ORGAN DONATION
Finding the Winning Combination: How Blending Organ Procurement Systems Used Internationally can Reduce the Organ Shortage
Sarah Statz 1677

PROPERTY RIGHTS
Historic Preservation in Southeast Asia: The Role of Public-Private Partnerships
Patrick Stough 1013

RIGHT TO THE CITY
Finding a Right to the City: Exploring Property and Community in Brazil and in the United States
Ngai Pindell 435

TAX LAW
The International Effects of the Adoption of a Consumption Tax in the United States
Matthew McMahan 519

TAIWAN
Motion Picture Piracy: Controlling the Seemingly Endless Supply of Counterfeit Optical Discs in Taiwan
Stephen K. Shiu 607

TERRORISM
Doctrines Without Borders: Territorial Jurisdiction and the Force of International Law in the Wake of *Rasul v. Bush*
Brennan Tyler Brooks 161

The Responsible Role for International Charitable Grantmaking in the Wake of the September 11, 2001 Terrorist Attacks
Christine Holland Anthony 911

TRIBUTE
A Teacher's Teacher
Lonnie T. Brown, Jr. 1405

Four Decades Later
Robert Covington 1409

Harold G. Maier, Comity and the Foreign Relations Restatement
Andreas F. Lowenfeld 1415

Harold G. Maier: World Class Fellow Indeed
Paul M. Kurtz 1411

He Knew Why He Was Here
D. Don Welch 1443

In Honor of Professor Harold G. Maier
David P. Stewart 1439

Professor Harold G. Maier at Pepperdine
W. Harold Bingham 1403

Transnational Litigation: Is There A "Field"? A Tribute to Hal Maier
Andreas F. Lowenfeld 1415

UNITED KINGDOM
Are We There Yet?: Measuring Success of Constitutional Reform
Maria Dakolias 1117

VEIL PIERCING
Clearing Away the Mist: Suggestions for Developing Principled Veil Piercing Doctrine in China
Bradley C. Reed 1643

WORLD TRADE ORGANIZATION
Trade and Morality: Preserving "Public Morals" Without Sacrificing the Global Economy
Miguel A. Gonzalez 939